

District Judge James L. Robart

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SEA SHEPHERD LEGAL,

Plaintiff,

V.

NATIONAL OCEANIC AND
ATMOSPHERIC ADMINISTRATION, *et al.*,

Defendants.

Case No. C19-1485 JLR

**JOINT STATUS REPORT AND
[PROPOSED] ORDER**

Noted for Consideration:
January 8, 2020

Plaintiff SEA SHEPHERD LEGAL (“SSL”) filed the above-captioned lawsuit under the Freedom of Information Act (“FOIA”) against Defendants NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (“NOAA”) and NATIONAL MARINE FISHERIES SERVICES (“NMFS”), seeking disclosure of certain documents. This request is supplemental to the request at issue in a related case, *Sea Shepherd Legal v. NOAA, et al.*, 19-cv-463-JLR. On October 11, 2019, the Court granted the parties’ stipulated motion to stay the dispositive briefing schedule in the related case. *Sea Shepherd Legal v. NOAA, et al.* 19-cv-463-JLR, Dkt. No. 19. Defendants began processing additional documents in response to Plaintiff’s FOIA requests at issue in that case, as well as Plaintiff’s supplemental FOIA request in this case.

1 Since the Court granted the parties' stipulated motion, Defendants have conducted
2 a search of potentially responsive records between December 21, 2018 and March 18,
3 2019 ("Gap Documents"). On November 4, 2019, Defendants fully released 191 Gap
4 Documents. On November 19, 2019, Defendants fully released 106 Gap Documents and
5 141 partially-redacted Gap Documents. Because much the subject matter of the two
6 FOIA requests substantially overlap, Defendants are currently processing potentially
7 responsive records to SSL's FOIA request at issue in this case and the FOIA request in
8 the related case, for the period prior to October 9, 2019. Defendants intend to produce
9 monthly interim record releases to SSL.

10 The parties believe that responding to the supplemental FOIA request, with the
11 inclusion of the gap period, may lead to the resolution of both this case and the related
12 case without the need for additional judicial intervention.

13 Accordingly, for good cause as described above, the parties respectfully request
14 that the Court allow the parties to file a status report on or before February 7, 2019.
15

16 Dated this 8th day of January 2020.

17 Respectfully submitted,

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21 s/ Catherine E. Pruett
22 CATHERINE E. PRUETT, WSBA # 35140

23 s/ Darius G. Fullmer
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1 **PROPOSED] ORDER** *JLR*

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3 Having reviewed the parties' stipulated motion, the Court finds good cause shown
4 for the parties to continue working towards a resolution of this matter. The parties shall
5 submit a joint status report to the Court on or before February 7, 2020.

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7 Dated this 14 day of January 2020.
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11 **JAMES L. ROBART**
12 United States District Judge